

SILLS CUMMIS & GROSS P.C.

James E. Tyrrell, Jr.

Eric S. Westenberger

The Legal Center, 13th Floor

Newark, NJ 07102

Attorneys for Plaintiff Heritage Pharmaceuticals Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HERITAGE PHARMACEUTICALS INC.,

Case No. 3:16-CV-08483 (PGS)(TJB)

Plaintiff,

v.

**JEFFREY A. GLAZER and JASON T.
MALEK,**

Defendants.

STIPULATION AND ORDER OF DISMISSAL

Plaintiff Heritage Pharmaceuticals Inc. ("Heritage") on one hand, and Defendants Jeffrey A. Glazer ("Glazer") and Jason T. Malek ("Malek") on the other hand, by and through their respective undersigned counsel, hereby STIPULATE and AGREE as follows:

1. All claims and counterclaims, defenses, motions and petitions asserted in this action are dismissed with prejudice based upon the SETTLEMENT AGREEMENT AND RELEASE entered into by the parties on or about July 19, 2019. In the event of any alleged breach of that SETTLEMENT AGREEMENT AND RELEASE, this Action may be reinstated as provided in Paragraph 6 of the SETTLEMENT AGREEMENT AND RELEASE;

2. Each party shall bear its own costs, disbursements, and attorneys' fees with respect to the matters dismissed hereby;

3. The parties each expressly waive any right to appeal or otherwise move for relief from this Stipulation and Order;

4. This Court retains jurisdiction over the parties for purposes of enforcing this Stipulation and Order; and

5. This Stipulation and Order shall finally resolve the Action between the parties.

SILLS CUMMIS & GROSS P.C.
James E. Tyrrell, Jr.
Eric S. Westenberger
One Riverfront Plaza
Newark, New Jersey 07102
Attorneys for Heritage Pharmaceuticals Inc.

By: James E. Tyrrell, Jr.
Dated: July 24, 2019

**FRIEDMAN KAPLAN SEILER &
ADELMAN LLP**
Ricardo Solano, Jr.
Timothy M. Haggerty
One Gateway Center, 25th Floor
Newark, New Jersey 07102
Attorneys for Jeffrey A. Glaser

By: Ricardo Solano, Jr.
Dated: July 11, 2019

LOWENSTEIN SANDLER LLP
Scott McBride
65 Livingston Avenue
Roseland, New Jersey 07068
Attorneys for Jason J. Malek

By: Scott McBride
Dated: July 11, 2019

SO ORDERED:

Peter G. Shondan 7/29/19
Hon. Peter G. Shondan, U.S.D.J.